

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 2-11 and 13 are pending in this application. Claims 1, 6-9, 11 and 13 are independent, and hereby amended. Support for this amendment is provided throughout the Specification as originally filed and specifically on Pages 27-28 (paragraphs [0125]-[0128]) and Fig. 6. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §101

Claim 8 is hereby amended, thereby obviating the rejections under 35 U.S.C. §101.

III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1, 3-11 and 13 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over US Patent Number 6,041,133 to Califano et al. (hereinafter, merely "Califano") in view of US Patent Number 6,233,348 to Fujii et al. (hereinafter, merely "Fujii").

IV. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“...determination means for determining a distance between the center point and each of the plurality of first feature points;

sorting means for sorting the first feature points on the basis of the distance determined by the determination means...”

(Emphasis added)

As understood by Applicant, Califano relates to a method and apparatus provide for automatic recognition of fingerprint images.

As understood by Applicant, Fujii relates to a feature point information calculating unit that calculates the connection of a feature point extracted by a feature point extracting unit through a ridge, and an identifying unit identifies the connection state of the feature point calculated by the feature point information calculating unit.

Applicant submits that neither Califano nor Fujii, taken alone or in combination, teach or suggest the above identified features of claim 1. Specifically, neither of the references used as a basis for rejection describes determination means for determining a distance between the center point and each of the plurality of first feature points, as recited in claim 1.

Specifically, the Office Action concedes that Califano fails to teach using the distance between the center point and the feature points for means of sorting. Indeed, the Office Action relies on Fujii to describe the distance between the center point and the feature points. However, Applicant submits that in the Fujii system, the main distance and sub-distance information extracting unit 90 measures the n-th degree main distance and the n-th degree sub-distance for each feature point (See, Fujii, col. 37, line 64 to col. 38, line 10), and both of the n-th degree main distance and n-th degree sub-distance are distances between different feature points

(See, Fujii, col. 10, line 59 to col. 11, line 31). Thus, in Fujii only the distances between different feature points are calculated. In the present invention, the CPU 52 **calculates the distance between the center point and each of the plurality of ridge bifurcations** in step S10, and **sorts these calculated distances** in increasing order in step S11; and then **calculates the distance between the center point and each of the plurality of ridge endings** in step S12, and **sorts these calculated distances** in increasing order in step S13 (See, Specification, Pages 27-28, paragraphs [0125]-[0128] and Fig. 6, step S10-S13). Thus, in the present invention the distances between the center point and the first feature points are calculated and sorted. Consequently, nothing has been found in Fujii that would teach determination means for determining distance between the center point and each of the plurality of first feature points, as recited in claim 1.

Therefore, Applicant respectfully submits that Fujii fails to teach or suggest determination means for determining distance between the center point and each of the plurality of first feature points, as recited in claim 1.

Therefore, Applicant submits that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 6-9, 11 and 13 are also patentable.

Therefore, Applicant submits that independent claims 1, 6-9, 11 and 13 are patentable.

V. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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